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STEVEN A. THOMPSON
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

BRAD HENRY
Governor

July 15, 2010

Dr. Alfredo Armendariz, Regional Administrator (6RA)
U.S. Environmental Protection Agency – Region VI
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

Subject: Information Requested in Greenhouse Gas Tailoring Rule

Dear Dr. Armendariz:

The U.S. Environmental Protection Agency (EPA) requested specific information from state air permitting authorities in its "Prevention of Significant Deterioration (PSD) and Title V Greenhouse Gas Tailoring rule" published in the *Federal Register* on June 3, 2010 (75 FR 31513). The Department of Environmental Quality (DEQ) is the air permitting authority for the State of Oklahoma and administers the EPA-approved PSD and Title V permitting programs. In this letter, DEQ provides the information EPA requested in sections IV.C., V.C.5. and V.C.6. of the preamble to the final greenhouse gas tailoring rule.

DEQ intends to implement the provisions of the GHG tailoring rule if adequate resources are available but must change its existing rules to implement the thresholds in the federal rule. The definitions of "regulated NSR pollutant" in DEQ's existing permitting rules for the PSD program (OAC 252:100-8-31) and "regulated air pollutant" for the Part 70 (title V) program (OAC 252:100-8-2) could support an interpretation that DEQ has the authority to issue both PSD and title V permits to GHG sources on January 2, 2011. However, since DEQ must amend its rules to add the permitting thresholds in the federal rule and state rulemaking procedures mandate public review and transparency of all rulemaking, DEQ plans to initiate steps to adopt permanent rules to implement the provisions of the GHG tailoring rule. It will not be possible to have the necessary rule changes in place by January 2, 2011. The earliest date that DEQ will be able to have permanent rules in place will be July 2011. If the rulemaking process results in any controversy or unexpected problems regarding these modifications, the effective date for these changes may be delayed until July 2012.

If you have questions, please contact Eddie Terrill, Director, Air Quality Division Department of Environmental Quality at (405) 702-4154.

Sincerely,

Steven A. Thompson
Executive Director

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